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TAGS: SHUM AR  
SUBJECT: JEHOVAH'S WITNESSES IN ARGENTINA

REF: BUENOS AIRES 577

ARGENTINA PROJECT (S200000044)

U.S. DEPT. OF STATE, A/RPS/IPs

Margaret P. Grafeld, Director

☒ Release ☐ Excise ☐ Deny

Exemption(s):

~~Declassify~~: ☐ In Part ☒ In Full

☐ Classify as ☐ Extend as ☐ Downgrade to

Date \_\_\_\_\_ Declassify on \_\_\_\_\_ Reason \_\_\_\_\_

DECONTROL

1. THE ARGENTINE SUPREME COURT LAST WEEK ORDERED THE REINSTATEMENT OF TWO JEHOVAH'S WITNESSES PRIMARY SCHOOL STUDENTS, EXPELLED LAST YEAR FOR FAILING TO SALUTE THE NATIONAL FLAG. OVERTURNING AN APPEALS COURT DECISION, THE SUPREME COURT CITED THE CONSTITUTIONAL RIGHT TO LEARN (ARTICLE 14), AND THE DUTY OF THE STATE TO PROVIDE PRIMARY EDUCATION (ARTICLE 5) IN RULING THAT THE CHILDREN'S EXPULSION WAS ARBITRARY AND IMPROPER. THE COURT DECLARED THAT CHILDREN OF THE AGES OF SEVEN AND EIGHT HAD NOT YET REACHED THE AGE OF DISCERNMENT AND COULD NOT BE HELD RESPONSIBLE FOR LACKING RESPECT FOR NATIONAL SYMBOLS WHEN THEY WERE MERELY OBEYING THEIR PARENTS.

2. CHARLES EISENHOWER, LOCAL AMERICAN REPRESENTATIVE OF THE JEHOVAH'S WITNESSES, EXPRESSED SATISFACTION WITH THE RULING, ALTHOUGH HE OBSERVED THAT THE COURT'S REASONING WAS "SUPERFICIAL" AND AVOIDED THE CRUX OF THE QUESTION, I.E. THE LEGITIMACY OF THE CULT TO PRACTICE ITS FAITH. EISENHOWER SAID THAT IN GENERAL

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"THINGS SEEM TO BE LOOSENING UP" AS REGARDS GOVERNMENT TREATMENT OF THE WITNESSES: ANOTHER JEHOVAH'S WITNESSES STUDENT EXPELLED LAST YEAR WAS VOLUNTARILY

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READMITTED WHEN THE SCHOOL CHANGED DIRECTORS. EISENHOWER SAID HE BELIEVES MANY JEHOVAH'S WITNESSES CHILDREN SIMPLY, QUIETLY RETURNED TO CLASSES EARLY IN MARCH AND HE HAS HAD NO REPORTS OF EXPULSIONS SINCE THE SCHOOL YEAR BEGAN.

3. IN ANOTHER POTENTIALLY IMPORTANT LEGAL PRECEDENT, A JEHOVAH'S WITNESSES PARENT WAS ACQUITTED LAST YEAR OF CHARGES OF TEACHING HIS CHILDREN TO DISRESPECT NATINAL SYMBOLS, SAID EISENHOWER. TIME WILL TELL WHETHER OFFICIAL PRESSURE AGAINST THE WITNESSES IS REALLY SLACKENING OFF, HE ADDED. (EISENHOWER SAID THERE ARE STILL PERIODIC ARRESTS OF HEHOVAH'S WITNESSES FOR PRACTICING THEIR RELIGION AND THAT SEVERAL JEHOVAH'S WITNESSES CONVERTS WHO ARE RETIRED MILITARY WERE DETAINED FOR REFUSING TO TAKE UP ARMS DURING THE MILITARY CALL-UP OVER THE BEAGLE.)

4. EISENHOWER SAID HE WILL SOON HAVE MORE INDICATORS OF THE GOVERNMENT'S ATTITUDE TOWARD THE JEHOVAH'S WITNESSES. TWO JEHOVAH'S WITNESSES' PETITIONS -- ONE TO THE INTERIOR MINISTRY ASKING FOR THE RETURN OF OR COMPENSATION FOR CONFISCATED JEHOVAH'S WITNESSES LITERATURE AND ANOTHER TO THE MINISTRY OF FOREIGN RELATIONS AND WORSHIP ASKING FOR INSCRIPTION ON THE RELIGIOUS REGISTRY--ARE DUE FOR A REPLY ON MARCH 26. IF THE PETITIONS ARE NOT ANSWERED, THE WITNESSES WILL FILE A MOTION FOR EXPEDITIOUS REPLY AND, IF NEED BE, WILL FOLLOW THE CASES UP THROUGH THE COURT SYSTEM, SAID EISENHOWER. "WE INTEND TO FORCE THE ISSUE," HE SAID. (THE REFERENCED RELIGIOUS REGISTRY IS THE OLD

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VOLUNTARY LIST MAINTAINED BY THE FOREIGN MINISTRY; THE NEW OBLIGATORY REGISTRATION, ESTABLISHED BY EXECUTIVE DECREE IN EARLY 1978 -- SEE BUENOS AIRES 1277 -- HAS STILL NOT BEEN OFFICIALLY IMPLEMENTED.)

5. EISEHOWER ADDED THAT ANOTHER INDICATOR WILL BE HIS SUCCESS IN GETTING A DEPARTURE PERMIT DESPITE THE COURT CASE PENDING AGAINST HIM. EISENHOWER PLANS TO TRAVEL TO NEW YORK IN MID-MAY AND EXPRESSED INTEREST IN SEEING THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS AND ARA/ECA IN WASHINGTON DURING HIS TRIP. CASTRO

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